

**WEDNESDAY, MARCH 30, 1988**

**SEVENTY-SIXTH LEGISLATIVE DAY**

The House met at 12:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. William Barnes, Edgehill United Methodist Church, Nashville, Tennessee, guest of Representative Mary Pruitt.

Representative Mary Pruitt led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, B. (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

The Speaker announced that Representative Long was excused because of personal business.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 385, 406, 415 and 421; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

\*Senate Joint Resolution 0385 -- Memorials, Government Officials -- Directs department of human services to help the Knoxville Police Department and the Knoxville Advisory Council on the Handicapped to increase penalties and develop rules and regulations on unauthorized parking in handicapped spaces.

Senate Joint Resolution 0406 -- Memorials, Congratulations -- Honors Warren County girls' JROTC Drill team on winning the Tri-state championship.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**Senate Joint Resolution 0415** -- Memorials, Professional Achievement -- Honors Dr. Thomas F. Frist, Chief Medical Officer and Chairman of Board of HCA.

**\*Senate Joint Resolution 0421** -- State Employees -- Urges State Insurance Committee to examine state preferred provider network and appropriate legislative committees to study preferred provider organizations.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1820, 1845, 1896, 2072, 2249, 2312, 2315 and 2342; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 1820** -- Education, Higher -- Fixes all higher education board terms at four years. Amends TCA, Title 49, Chs. 7--9.

**\*Senate Bill No. 1845** -- Criminal Offenses -- Establishes refusal to take breath test does not constitute criminal offense. Amends TCA 55-10-406.

**\*Senate Bill No. 1896** -- Judicial Officers -- Creates additional criminal investigator position for tenth judicial district.

**Senate Bill No. 2072** -- Liens -- Includes wool and synthetic fibers as property subject to textile processors' lien. Amends TCA 66-15-102.

**\*Senate Bill No. 2249** -- Motor Vehicles, Titling and Registration -- Provides special registration plates for Shriners. Amends TCA, Title 55, Ch. 4.

**\*Senate Bill No. 2312** -- Public Defenders -- Increases costs which defray expense of representation for indigent criminal defendants. Amends TCA, Title 40, Ch. 14, Pt. 2.

**Senate Bill No. 2315** -- Motor Vehicles, Titling and Registration -- Creates classification for certain cranes for registration purposes. Amends TCA, Title 55, Ch. 4.

**\*Senate Bill No. 2342** -- Insurance Companies, Agents, Brokers -- Subjects the claims of an insurer declared to be insolvent to certain limitations. Amends TCA, Title 56, Ch. 9.

**REGULAR CALENDAR**

**House Bill No. 2018** -- Landlord and Tenant -- Prohibits prohibition of flotation bedding system in rental agreement. Amends TCA, Title 66.

Rep. Wheeler moved that House Bill No. 2018 be reset on the Calendar for last day of this year's session, which motion prevailed.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**House Bill No. 2132 -- Budget Procedures -- Enacts "County Budget Law of 1990". Amends TCA, Titles 5, 49, 67.**

Further consideration of House Bill No. 2132, previously considered on March 2, 1988 and March 9, 1988. On March 2, Amendments 1 and 2 were adopted.

Rep. Rhinehart moved that House Bill No. 2132, as amended, be passed on third and final consideration.

Rep. Napier moved to amend as follows:

**Amendment No. 3**

Amend House Bill No. 2132 by designating the first sentence of subsection (a) of Section 1 as subdivision (a)(1) and by inserting the following language at the end of such sentence:

except as provided in subdivision (a)(2)

AND FURTHER AMEND by designating the second sentence of subsection (a) of Section 1 as subdivision (a)(2) and by inserting the following language prior to the words "according to the 1980 federal census":

, or any county having a population of not less than fifty-one thousand twenty-five (51,025) nor more than fifty-one thousand one hundred twenty-five (51,125),

On motion, Amendment No. 3 was adopted.

Rep. Naifeh moved that all amendments excluding counties be moved to follow Rep. Rhinehart's amendment, which motion prevailed.

Rep. Rhinehart moved to amend as follows:

**Amendment No. 4**

Amend House Bill No. 2132 by deleting from Section 6(a) the language "May 15th" and by substituting instead the language "June 1st".

AND FURTHER AMEND by deleting from Section 6(b) the language "June" and by substituting instead the language "July".

AND FURTHER AMEND by deleting Section 7(a) in its entirety and by substituting instead the following:

The county legislative body shall each year adopt a budget, tax rate and appropriation resolution on or before midnight of the earlier of the date provided in any private act, applicable under the County Financial Management System of 1981 codified at Tennessee Code Annotated, Title 5, Chapter 21, applicable under the County Budgeting Law of 1957, codified at Tennessee Code Annotated, Title 5, Chapter 12, or July 31st, for the fiscal year beginning

on the first day of such July. Provided, however, if the budget, tax rate and appropriation resolution are not adopted by the county legislative body on or before midnight on June 30th for the ensuing fiscal year, all departments and offices of the county may make expenditures according to the budget of that department or office as adopted for the preceding fiscal year except that such departments and offices shall be limited to expenditures and obligations based on a monthly allotment from the preceding fiscal year's budget.

**AND FURTHER AMEND** by deleting subsection 7(e) and substituting the following as a new subsection 7(e):

The setting of the tax rate by approval of the county legislative body, by operation of law, or otherwise according to law, shall constitute a valid tax levy for collection purposes in accordance with the provisions of this act.

**AND FURTHER AMEND** by deleting Section 9 and substituting instead the following:

Once the budget has been adopted, whether by action of the county legislative body or by operation of law, any budget amendment requested by any department to appropriate state or federal revenues received in excess of the estimates used to adopt the budget may be approved by a majority vote of the county legislative body. Provided, however, any department requesting such approval shall give written notice to the county executive at least seven (7) calendar days prior to consideration of the request by the county legislative body.

Other amendments shall be approved as provided in Section 10 hereof.

**AND FURTHER AMEND** by deleting the following language from Section 13:

a referendum is called pursuant to Section 9 hereof, or in the event other

**AND FURTHER AMEND** by deleting the last sentence of Section 34.

**AND FURTHER AMEND** by adding the following new subsection (f) to Section 7:

7(f) The board of education, through its designated representative, shall have the right to address the county legislative body in regard to the board's budget and tax rate proposals.

**AND FURTHER AMEND** by deleting Sections 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 by renumbering the subsequent sections and references accordingly.

On motion, Amendment No. 4 was adopted.

Rep. Rhinehart moved that House Bill No. 2132, as amended, be reset on the Calendar for Thursday, April 7, 1988, which motion prevailed.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**House Bill No. 1401** -- Boards and Commissions -- Clarifies membership of health facilities commission. Amends TCA 68-11-203.

On motion, House Bill No. 1401 was made to conform with Senate Bill No. 1431.

On motion, **Senate Bill No. 1431**, on same subject, was substituted for House Bill No. 1401.

Rep. Dixon moved passage of Senate Bill No. 1431 on third and final consideration, which motion prevailed by the following vote:

Ayes. ....	96
Noes. ....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 1970** -- Banks and Financial Institutions -- Changes requirements for applications for money order issuers. Amends TCA 45-7-106.

On motion, House Bill No. 1970 was made to conform with Senate Bill No. 2190.

On motion, **Senate Bill No. 2190**, on same subject, was substituted for House Bill No. 1970.

Rep. R. Jones (Shelby) moved passage of Senate Bill No. 2190 on third and final consideration, which motion prevailed by the following vote:

Ayes. ....	92
Noes. ....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis,

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

**House Bill No. 1727** -- Public Contracts -- Expands application of Small Business Purchasing and Contracting Act to include minority owned businesses. Amends TCA, Title 12, Ch. 3.

On motion, House Bill No. 1727 was made to conform with Senate Bill No. 1791.

On motion, **Senate Bill No. 1791**, on same subject, was substituted for House Bill No. 1727.

Rep. R. Jones (Shelby) moved that Senate Bill No. 1791 be passed on third and final consideration.

Rep. R. Jones (Shelby) moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1791 by deleting from the amendatory language of Section 2 the following:

"of the outstanding stock of which is owned, by a person who manages and controls the daily operations of such business and who is:

(A) By reason of social background unable to obtain technical, business or financial assistance of a quality or quantity similar to that available to the average business; or

(B) Impeded from normal entry into the economic mainstream because of past practices of discrimination based on race, religion, ethnic background, sex or service in the armed forces during the Vietnam War; or

(C) Unable to compete effectively because of tendencies of regular financing and commercial organizations to restrict their services to established businesses; or

(D) In a state of chronically low income because of long residence in an urban area with high unemployment and low income."

and by substituting instead the following:

"of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of such business and who is impeded from normal entry into the economic mainstream because of past practices of discrimination based on race, religion, ethnic background, or sex."

AND FURTHER AMEND By deleting from the amendatory language of Section 4 the words, symbols, and figure "; provided, however, such amount shall not be less than five percent (5%) of all contracts entered into annually".

AND FURTHER AMEND By deleting from the first sentence of the amendatory language of Section 5 the words "The department of general services and" and by substituting instead the words and punctuation "The department of general services, the department of finance and administration, and".

AND FURTHER AMEND BY deleting the amendatory language of Section 8 and by substituting instead the following:

(1) Beginning with the report due on or before December 31, 1990, the commissioner shall annually report, on or before December 31, to the governor and to each member of the general assembly concerning the awarding of purchases to small businesses and minority owned businesses and the total value of awards made during the preceding fiscal year under the provisions of Section 12-3-801--12-3-808. The commissioner shall also include in such annual report the number of small businesses solicited, number of minority owned businesses solicited, the number of bids received from small businesses, the number of bids received from minority owned businesses, the dollar amount of purchases awarded to small businesses, and the dollar amount of purchases awarded to minority owned businesses.

(2) All departments, agencies and institutions of state government which purchase goods or services with state funds shall give preference to small businesses and minority owned businesses when awarding contracts or agreements or purchasing such goods or services so long as the terms, price, conditions, and quality associated with such business' proposals are equal to those from other businesses.

AND FURTHER AMEND By inserting the following language as a new section immediately preceding the severability section and by appropriately renumbering subsequent sections:

Section . On or before December 31, 1988, and again on or before December 31, 1989, the commissioner of general services shall file a transitional, summary report with the governor and each member of the general assembly. Such report shall, based on information reasonably available for the preceding fiscal year, identify or estimate the dollar amount of purchases awarded to small businesses and the dollar amount of purchases awarded to minority owned businesses. The report may include other

information which the commissioner determines to be readily available and useful in evaluating the extent to which small businesses and minority owned businesses are able to sell goods and services to agencies of state government.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. R. Jones moved that Senate Bill No. 1791, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. ....	91
Noes. ....	2
Present and not voting. ....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Ussery, Wolfe -- 2.

Representative present and not voting was: Coffey -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 1544** -- Health and Environment, Dept. of -- Creates within department office on civil rights compliance by licensed health care facilities. Amends TCA, Title 68.

Rep. Pruitt moved that House Bill No. 1544 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1544 by deleting in its entirety all the language following the caption, and by substituting instead the following language:

WHEREAS, the civil rights of all individuals attempting to access health care must be protected if each individual is to receive full and equal enjoyment



of the services, privileges, advantages and accommodations offered by health care facilities; and

WHEREAS, although the Office of Title VI Compliance within the Department of Health and Environment has been established to monitor and investigate civil rights compliance complaints in nursing homes, there is no office of state government which is charged with the responsibility of insuring civil rights compliance by health care facilities; and

WHEREAS, it is the intent of this general assembly to establish an office on civil rights compliance by health care facilities to monitor and investigate such complaints in health care facilities, and that such office be an extension of the office established to monitor and investigate complaints in nursing homes; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following language as a new section to be appropriately numbered:

Section \_\_\_. (a) There is established as an extension of the office of Title VI compliance within the department of health and environment an office on civil rights compliance by health care facilities. The office shall monitor, and upon receiving a complaint shall investigate, health care facilities licensed by the state to determine whether any such facility is denying any individual the full and equal enjoyment of the services, privileges, advantages, and accommodations offered within such facility on the grounds of race, color, or national origin. Following an investigation, if a determination is made by the office that any such discriminatory practice has occurred or is occurring, the office shall inform the health care facility of its findings and shall work with the facility to take affirmative action to ensure compliance with this act and to ensure that such health care facility shall cease and desist from such discriminatory practice. The office on civil rights compliance shall report and document any such discriminatory practice to the commissioner, the Tennessee human rights commission, and the board for licensing health care facilities.

(b) If complaints of discriminatory practices continue to be received by the office during the time such office is monitoring previously investigated complaints or during follow-up investigations, and if the office determines that such facility has continued to engage in such discriminatory practices, the office shall forward its findings to the board for licensing health care facilities for appropriate disciplinary action. Such board shall have the authority to impose sanctions as provided in subsection (c) of this section for violations of this act.

(c) The board for licensing health care facilities may deny, suspend, or revoke the license issued to the health care facility for a violation of this act.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

(d) In addition to such action by the board, the commissioner may impose a civil penalty in an amount not to exceed twenty-five thousand dollars (\$25,000) for such violation.

(e) Any sanction imposed upon a health care facility by the board or the commissioner pursuant to this act shall be imposed in accordance with the provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 2. Tennessee Code Annotated, Section 68-11-207, is amended by adding the following language as a new subsection (e):

(e) In making its determination whether to impose the sanctions contained in subsection (c) of Section 1 of this act, the board for licensing health care facilities shall take into consideration the factors it deems relevant including, but not limited to, the factors detailed in subsection (c) of this section.

SECTION 3. This act shall take effect July 1, 1988, the public welfare requiring it.

Rep. Starnes moved to amend Amendment No. 1 as follows:

**Amendment No. 1 to Amendment No. 1**

Amend House Bill No. 1544 by deleting from the second preamble, as amended, the word "although" and by placing a semi-colon and the word "and" after the words "nursing homes" and deleting the remainder of the language of such preamble.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Starnes moved to adopt Amendment No. 1, as amended, which motion prevailed.

Rep. Starnes moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 1544 by deleting the words, figures and punctuation "twenty-five thousand dollars (\$25,000)" from subsection (d) of Section 1, as amended, and by substituting instead the words, figures and punctuation "five thousand dollars (\$5,000)".

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1544 by deleting Section 2 of the bill in its entirety and by inserting, instead, the following new section:

SECTION 3. Implementation of the provisions of this act shall be subject to funding being provided in the General Appropriations Act.

and by adding the following new section:

Section ( ). This act shall take effect July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Pruitt moved that House Bill No. 1544, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	62
Noes.....	31

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Head, Henry, Herron, Hillis, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, May, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Mr. Speaker Murray -- 62.

Representatives voting no were: Bewley, Chiles, Coffey, Davis (Gibson), Duer, Frensley, Good, Harrill, Hassell, Hawkins, Hobbs, Holcomb, Holt, Kent, Lawson, McAfee, Montgomery, Moore (Shelby), Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Ussery, Webb, Whitson, Williams, Wolfe, Wood -- 31.

A motion to reconsider was tabled.

\*House Bill No. 2372 -- Teenage Pregnancy -- Directs certain state agencies to develop coordinated plan to address problems of teenage pregnancy. Amends TCA 37-3-108.

Rep. Pruitt moved that House Bill No. 2372 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenshley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

\*House Bill No. 2373 -- Teenage Pregnancy -- Provides certain informational services for certain teens. Amends TCA, Titles 3, 4, 33, 37, 49, 50, 68, 71.

Rep. Pruitt moved that House Bill No. 2373 be re-referred to the Calendar and Rules Committee, which motion prevailed.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 1544 and have this statement entered in the Journal.

Rep. Ray Davis

REGULAR CALENDAR, CONTINUED

House Joint Resolution 0630 -- Memorials, Congress -- Urges Tennessee Congressional Delegation to support Medicaid, Home, and Community Quality Services Act of 1987.

Rep. Clark moved that House Joint Resolution No. 630 be adopted, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson),

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 2157 -- Education -- Requires students entering approved teacher training to take standardized tests. Amends TCA 49-5-5602.**

Rep. Winningham moved that House Bill No. 2157 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. ....	97
Noes. ....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**House Bill No. 1598 -- Liens -- Changes priority of liens for hazardous waste clean-up. Amends TCA, Title 68, Ch. 46.**

On motion, House Bill No. 1598 was made to conform with Senate Bill No. 1396.

On motion, **Senate Bill No. 1396**, on same subject, was substituted for House Bill No. 1598.

Rep. Jared moved that Senate Bill No. 1396 be passed on third and final consideration.

Rep. Jared withdrew his motion for passage and moved instead that Senate Bill No. 1396 be reset on the Calendar for Wednesday, April 13, 1988, which motion prevailed.

WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY

**\*House Bill No. 1932 -- Handicapped Persons --** Allows person who turns 22 during school year to continue to be classified as handicapped child for education purposes. Amends TCA 49-10-102.

On motion, House Bill No. 1932 was made to conform with Senate Bill No. 2171.

On motion, **Senate Bill No. 2171**, on same subject, was substituted for House Bill No. 1932.

Rep. Odom moved passage of Senate Bill No. 2171 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

**House Bill No. 1583 -- Environmental Preservation --** Provides review and comment procedure for demolition, alteration or transfer of state historic property. Amends TCA, Title 4, Ch. 11.

On motion, House Bill No. 1583 was made to conform with Senate Bill No. 1400.

On motion, **Senate Bill No. 1400**, on same subject, was substituted for House Bill No. 1583.

Rep. Odom moved that Senate Bill No. 1400 be passed on third and final consideration.

Rep. Odom moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1400 by adding the following language to Section 1 as a new subsection (f):

(f) Provided however, nothing contained herein shall be construed as further extending the jurisdiction of the state building commission over transactions involving department of transportation projects. When the department of transportation is the proposing agency, the commissioner of transportation shall consider the comments of the Tennessee Historical Commission prior to demolishing, altering or transferring state property which is of historical, architectural or cultural significance.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Odom moved that Senate Bill No. 1400, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. ....	97
Noes. ....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

### CONSENT CALENDAR

**\*House Bill No. 2483** -- Bolivar -- Changes date for city elections. Amends Chapter 142, Private Acts of 1953, as amended.

**\*House Bill No. 2486** -- Hamilton County -- Places election for superintendent of public instruction in conformity with general law. Amends Chapter 332, Private Acts of 1943.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

Ayes. .... 97  
Noes. .... 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 1483 -- Highways, Roads and Bridges --** Provides for a system of specific service signs on certain public roads. Amends TCA, Titles 12, 54.

**Senate Amendment No. 3**

To AMEND by adding a new section which provides that the provisions of this bill shall not apply to counties having the following populations according to the 1980 federal census (or any subsequent federal census).

not greater than	9,500 and not less than	9,400 and
not greater than	13,800 and not less than	13,700 and
not greater than	41,900 and not less than	41,800 and
not greater than	24,500 and not less than	24,400 and
not greater than	7,500 and not less than	7,400 and
not greater than	24,300 and not less than	24,200 and
not greater than	8,700 and not less than	8,600 and
not greater than	4,800 and not less than	4,700

**Senate Amendment No. 1 to Amendment No. 3**

TO Amend Amendment No. 3 to House Bill No. 1483 by deleting the clause as follows: "not greater than 41,900 and not less than 41,800."



**Senate Amendment No. 5**

Amend House Bill No. 1483 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Notwithstanding any provision of law or this act to the contrary, ten percent (10%) of all contracts entered into by the state pursuant to the provisions of this act shall be awarded to minority business enterprises.

**Senate Amendment No. 1 to Amendment No. 5**

Amend House Bill No. 1483 by deleting the amendatory language in its entirety and by substituting instead the following:

SECTION \_\_\_\_\_. Notwithstanding any provision of law or this act to the contrary, disadvantaged business enterprises shall participate in ten percent (10%) of all contracts entered into by the state for construction of specific service signs pursuant to the provisions of this act.

**Senate Amendment No. 10**

Amend House Bill No. 1483 by deleting from Section 9 (original Section 8) the following language:

If, subsequent to the effective date of this act, the general assembly enacts any legislation which requires the total removal of outdoor advertising signs, then the provisions of this act shall be void upon the effective date of such subsequent enactment.

**Senate Amendment No. 12**

Amend House Bill No. 1483 by adding the following new subsection:

( ) No lease payments, royalty payments, or funds of any type received by the State of Tennessee pursuant to the provisions of this act shall be used for the purchase of non-conforming billboards or use as payment for the taking or removal of non-conforming billboards.

**Senate Amendment No. 17**

Amend House Bill No. 1483 by adding additional language after the unnumbered section which reads as follows:

"SECTION \_\_\_\_\_. There is hereby levied a gross receipts royalty payment of six percent (6%) on the difference between the provider's gross revenues and the lease payments made to the state. Such payments shall be made annually on January 31, of each year."

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

The additional language shall read as follows:

"The proceeds from the gross receipts royalty payment shall be allocated and distributed to the highway fund. However, none of the proceeds shall be used for acquisition of outdoor advertising."

Rep. Buck moved that the House concur in Senate Amendments Nos. 3 as amended, 5 as amended, 10, 12 and 17.

Rep. Robinson (Davidson) moved the previous question.

Rep. Buck renewed his motion that the House concur in the Senate Amendments, which motion prevailed by the following vote:

Ayes.....	70
Noes.....	25

Representatives voting aye were: Bell, Bewley, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Holcomb, Holt, Hurley, Huskey, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Montgomery, Moody, Moore (Shelby), Naifeh, Nance, Odom, Phillips, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stafford, Stallings, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 70.

Representatives voting no were: Bivens, Bragg, Chiles, Curlee, Davis (Knox), Duer, Frensley, Herron, Hillis, Hobbs, Ivy, Lawson, May, McAfee, Miller, Moore (Lawrence), Napier, Peroulas, Rhinehart, Ridgeway, Scruggs, Severance, Swann, Tanner, Mr. Speaker Murray -- 25.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**BILL RE-REFERRED**

Rep. Robinson (Davidson) moved that House Bill No. 2232 be recalled from the Agriculture Committee and re-referred to the Transportation Committee, which motion prevailed.

**BILL RE-REFERRED**

Rep. Buck moved that House Joint Resolution No. 530 be recalled from the Calendar and Rules Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

**NOTICE TO ACT ON SENATE AMENDMENTS**

Pursuant to **Rule No. 59**, the sponsors gave notice of intent to consider the following measure from the Senate on Monday, April 4, 1988:

Senate Bill 1105: Rep. Purcell.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 75: Rep. Wood added as a prime sponsor.

House Bill No. 1463: Rep. Drew added as a prime sponsor.

House Bill No. 1837: Rep. Drew added as a prime sponsor.

House Bill No. 2136: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2137: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2138: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2139: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2140: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2141: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2142: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

House Bill No. 2143: Reps. Cross, Moody, C. Turner (Shelby) and Williams added as prime sponsors.

**SPONSORS REMOVED**

On motion of Rep. Crain, his name was removed as sponsor of House Bill No. 1818.

**INTRODUCTION OF RESOLUTIONS**

**House Resolution No. 0110** -- Memorials, Professional Achievement -- Honors George Jones, 1988 "Small Business Executive of the Year". by \*Dixon, Jones U, Turner L, Jones R, DeBerry, Pruitt.

The Speaker referred House Resolution No. 110 to the Calendar and Rules Committee.

**House Resolution No. 0111** -- Memorials, Professional Achievement -- Honors Reverend Alvin O'Neal Jackson on superlative job at Mississippi Boulevard Baptist Church. by \*Dixon, \*Jones U, Turner L, Jones R, Pruitt.

The Speaker referred House Resolution No. 111 to the Calendar and Rules Committee.

**House Resolution No. 0112** -- Memorials, Public Service -- Honors Robert Granville Campbell for community service. by \*Drew.

The Speaker referred House Resolution No. 112 to the Calendar and Rules Committee.

**House Resolution No. 0113** -- Memorials, Public Service -- Commends Lt. Charlie Coleman on exemplary job on Knoxville police force. by \*Drew.

The Speaker referred House Resolution No. 113 to the Calendar and Rules Committee.

**House Resolution No. 0114** -- Memorials, Congratulations -- Congratulates Mr. and Mrs. Hubert A. Patton on fiftieth wedding anniversary. by \*Drew.

The Speaker referred House Resolution No. 114 to the Calendar and Rules Committee.

**House Joint Resolution 0649** -- Memorials, Sports -- Congratulates Bartlett High School varsity cheerleaders on winning national Universal Cheerleaders Association championship. by \*Byrd.

The Speaker referred House Joint Resolution No. 649 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

**Senate Joint Resolution 0406** -- Memorials, Congratulations -- Honors Warren County girls' JROTC Drill team on winning the Tri-state championship.

The Speaker referred Senate Joint Resolution No. 406 to the Calendar and Rules Committee.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**Senate Joint Resolution 0415** -- Memorials, Professional Achievement -- Honors Dr. Thomas F. Frist, Chief Medical Officer and Chairman of Board of HCA.

The Speaker referred Senate Joint Resolution No. 415 to the Calendar and Rules Committee.

**RESOLUTIONS LYING OVER**

**\*Senate Joint Resolution 0385** -- Memorials, Government Officials -- Directs department of human services to help the Knoxville Police Department and the Knoxville Advisory Council on the Handicapped to increase penalties and develop rules and regulations on unauthorized parking in handicapped spaces.

The Speaker referred Senate Joint Resolution No. 385 to the State and Local Government Committee.

**\*Senate Joint Resolution 0421** -- State Employees -- Urges State Insurance Committee to examine state preferred provider network and appropriate legislative committees to study preferred provider organizations.

The Speaker referred Senate Joint Resolution No. 421 to the General Welfare Committee.

**INTRODUCTION OF BILLS**

**\*House Bill No. 2489** -- Anderson County -- Provides for circuit court clerk to be clerk of juvenile court; provide for appointment of deputy. Amends Chapter 74, Private Acts of 1961. by \*Coffey, \*Wheeler.

Passed first consideration.

**House Bill No. 2490** -- Weakley County -- Levies privilege tax on occupancy of hotels/motels in Weakley County. by \*Herron.

Passed first consideration.

**House Bill No. 2491** -- Haywood County -- Levies hotel/motel tax. by \*Crain.

Passed first consideration.

**\* House Bill No. 2492** -- Dyersburg -- Establishes new school board. Amends Chapter 410, Acts of 1903, as amended. by \*Holt.

Passed first consideration.

**House Bill No. 2493** -- Lincoln County -- Reschedules date for periodic reappointment of budget commission. Amends Chapter 320, Private Acts of 1937, as amended. by \*Phillips, \*DePriest.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

\***Senate Bill No. 1820** -- Education, Higher -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1820.

\***Senate Bill No. 1845** -- Criminal Offenses -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2144.

\***Senate Bill No. 1896** -- Judicial Officers -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1871.

**Senate Bill No. 2072** -- Liens -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1652.

\***Senate Bill No. 2249** -- Motor Vehicles, Titling and Registration -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2364.

\***Senate Bill No. 2312** -- Public Defenders -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2382.

**Senate Bill No. 2315** -- Motor Vehicles, Titling and Registration -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2116.

\***Senate Bill No. 2342** -- Insurance Companies, Agents, Brokers -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2358.

**HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 2487** -- Tiptonville -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2488** -- Dickson County -- Passed second consideration and held on the Clerk's desk.

**REPORTS FROM STANDING COMMITTEES**

**AGRICULTURE**

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for adoption House Joint Resolution No. 593.

We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 2184 be referred to the Committee on Finance, Ways and Means.

STALLINGS, Chairman.

Under the rules, House Joint Resolution No. 593 was transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 2184 to the Committee on Finance, Ways and Means.

### COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1814 (with amendment), 2032 (with amendment), 2175, 2181, 2352 (with amendment), and 2406 (with amendment); recommend for adoption House Joint Resolution No. 551.

We further recommend that, pursuant to **House Rule No. 72**, House Bills Nos. 1463 (with amendment) and 1705 (with amendment) be referred to the Committee on Finance, Ways and Means.

TANNER, Chairman.

Under the rules, House Bills Nos. 1814 (with amendment), 2032 (with amendment), 2175, 2181, 2352 (with amendment) and 2406 (with amendment); and House Joint Resolution No. 551 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bills Nos. 1463 (with amendment) and 1705 (with amendment) to the Committee on Finance, Ways and Means.

### CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1582 (with amendment), 2262 (with amendment), 2387 (with amendment) and 2395 (with amendment); recommend for adoption House Joint Resolution Nos. 622 and 627.

We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 1710 (with amendment) be referred to the Committee on Finance, Ways and Means.

HILLIS, Chairman.

Under the rules, House Bills Nos. 1582 (with amendment), 2262 (with amendment), 2387 (with amendment) and 2395 (with amendment); and House Joint Resolutions Nos. 622 and 627 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 1710 (with amendment) to the Committee on Finance, Ways and Means.

**EDUCATION**

**MR. SPEAKER:** Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bill No. 2433.

We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 2353 be referred to the Committee on Finance, Ways and Means.

We further report that the following was considered but failed to pass: House Bill No. 2107.

**DAVIDSON, Chairman.**

Under the rules, House Bill No. 2433 was transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 2353 to the Committee on Finance, Ways and Means.

**FINANCE, WAYS AND MEANS**

**MR. SPEAKER:** Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1536, 1637 (with amendment), 1986, 1987, 2220 and 2234.

**BRAGG, Chairman.**

Under the rules, House Bills Nos. 1536, 1637 (with amendment), 1986, 1987, 2220 and 2234 were transmitted to the Committee on Calendar and Rules.

**GENERAL WELFARE**

**MR. SPEAKER:** Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1733 (with amendment), 1850, 1935 (with amendment), 1942, 2028, 2065 (with amendments), 2180, 2300 (with amendment), 2363 and 2379; recommend for adoption House Joint Resolution No. 446 (with amendment); and recommend for concurrence Senate Joint Resolution No. 370.

**STARNES, Chairman.**

Under the rules, House Bills Nos. 1733 (with amendment), 1850, 1935 (with amendment), 1942, 2028, 2065 (with amendments), 2180, 2300 (with amendment), 2363 and 2379, House Joint Resolution No. 446 (with amendment) and Senate Joint Resolution No. 370 were transmitted to the Committee on Calendar and Rules.



**GOVERNMENT OPERATIONS**

**MR. SPEAKER:** Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 2131 (with amendments).

**KING, Chairman.**

Under the rules, House Bill No. 2131 (with amendments) were transmitted to the Committee on Calendar and Rules.

**JUDICIARY**

**MR. SPEAKER:** Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 742, 809, 1439, 1627 and 1871; recommend for adoption House Resolutions Nos. 96 and 97; recommend for adoption House Joint Resolution No. 530.

We further recommend that, pursuant to House Rule No. 72, House Bill No. 2091 be referred to the Committee on Finance, Ways and Means.

**BUCK, Chairman.**

Under the rules, House Bills Nos. 742, 809, 1439, 1627 and 1871; House Resolutions Nos. 96 and 97; and House Joint Resolution No. 530 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 2091 to the Committee on Finance, Ways and Means.

**LABOR AND CONSUMER AFFAIRS**

**MR. SPEAKER:** Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1450 (with amendments) and 2123 (with amendment); and recommend for adoption House Joint Resolution No. 625.

We further recommend that, pursuant to House Rule No. 72, House Bill No. 1563 (with amendment) be referred to the Committee on Finance, Ways and Means.

**ELLIS, Chairman.**

Under the rules, House Bills Nos. 1450 (with amendments) and 2123 (with amendment); and House Joint Resolution No. 625 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 1563 (with amendment) to the Committee on Finance, Ways and Means.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**STATE AND LOCAL GOVERNMENT**

**MR. SPEAKER:** Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1567 (with amendment), 1745, 2182 and 2451.

We further recommend that, pursuant to **House Rule No. 72**, House Bills Nos. 2045 and 2331 (with amendment) be referred to the Committee on Finance, Ways and Means.

**MILLER, Chairman.**

Under the rules, House Bills Nos. 1567 (with amendment), 1745, 2182 and 2451 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bills Nos. 2045 and 2331 (with amendment) to the Committee on Finance, Ways and Means.

**TRANSPORTATION**

**MR. SPEAKER:** Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1385 (with amendment), 1526 (with amendment), 1548 (with amendment), 1662 (with amendment) and 2364; recommend for adoption House Joint Resolution No. 485; and recommend for concurrence Senate Joint Resolution Nos. 244 and 249.

We further recommend that, pursuant to **House Rule No. 72**, House Bill No. 2313 be referred to the Committee on Finance, Ways and Means.

**ROBINSON, Chairman.**

Under the rules, House Bills Nos. 1385 (with amendment), 1526 (with amendment), 1548 (with amendment), 1662 (with amendment) and 2364, House Joint Resolution No. 485 and Senate Joint Resolution Nos. 244 and 249 were transmitted to the Committee on Calendar and Rules.

Pursuant to **House Rule No. 72**, the Speaker referred House Bill No. 2313 to the Committee on Finance, Ways and Means.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 1330, 1379, 1438, 1736, 1859, 1866, 2273, 2408, 2422, 2437, 2438, 2458, 2461, 2462, 2466, 2468, 2470, 2472 and 2474; also House Joint Resolutions Nos. 601 and 602; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**WEDNESDAY, MARCH 30, 1968 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1507, 1583, 1584, 1766, 2025, 2196, 2248, 2275, 2293 and 2446; also, Senate Joint Resolutions Nos. 318, 392, 396, 398 and 404; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1496, 1678, 1966, 2153, 2241, 2434, 2436 and 2450; and House Joint Resolutions Nos. 470, 486, 561, 604, 607, 609, 612, 613, 614, 615 and 619; and find same correctly enrolled and ready for the signatures of the Speakers.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1330, 1379, 1438, 1736, 1850, 1866, 2273, 2422, 2437, 2438, 2458, 2461, 2462, 2466, 2468, 2470, 2472 and 2474; House Joint Resolutions Nos. 601 and 602 for his action.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 1507, 1583, 1584, 1766, 2025, 2196, 2248, 2275, 2293 and 2446; Senate Joint Resolutions Nos. 318, 392, 396, 398 and 404.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1496, 1678, 1966, 2153, 2241, 2408, 2434, 2436 and 2450; House Joint Resolutions Nos. 470, 486, 561, 604, 607, 609, 612, 613, 614, 615 and 619.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**ENGROSSED BILLS**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1544, 2157, 2372, 2483 and 2486; and House Joint Resolutions Nos. 630; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2408 for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 601, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 48, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2473.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following on the Consent Calendar for Thursday, March 31, 1988: House Resolutions Nos. 110, 111, 112, 113, 114; House Joint Resolution No. 649; Senate Joint Resolutions Nos. 406, 415; and House Bill No. 2473.

Phillips, Chairman.

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following on the Consent Calendar for Monday April 4, 1988: House Bills Nos. 2156, 1610, 1972, 2358, 1412; House Joint Resolutions Nos. 452, 597, 599 and 600.

Phillips, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the calendar for Monday, April 4, 1988: House Bills Nos. 1723, 2418 and 1638.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and resolutions on the calendar for Wednesday, April 6, 1988: House Bills Nos. 2316, 1645, 1721, 2417, 2393, 1596, 439, 1497, 2349, 2276, 1956, 1896; House Joint Resolutions Nos. 514, 515, 462, 483; House Bills Nos. 2368, 2136, 2137, 2138, 2140, 2141 and 2142.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and resolutions on the calendar for Thursday, April 7, 1988: House Bills Nos. 2143, 1440, 132, 2423, 1423, 1603, 1606; House Joint Resolutions Nos. 594, 595, 596 and 598.

PHILLIPS, Chairman.

**ROLL CALL.**

The roll call was taken with the following results:

Present ..... 97

**WEDNESDAY, MARCH 30, 1988 -- SEVENTY-SIXTH LEGISLATIVE DAY**

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, B. (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 9:00 A.M. on Thursday, March 31, 1988.